

## REMARKS

Claims 1-27, 29, 37, and 47-49 remain pending in the application.

In the Office Communication mailed August 1, 2003 ("the Communication"), the Examiner has stated that the application failed to comply with 37 C.F.R. § 1.821 *et seq.* because all of the sequences in the figures as filed were not identified by sequence identification numbers. By the present Amendment applicants have remedied the deficiency.

### Summary of Amendments and Support in As-Filed Application

The sequences of Figure 1.a have been designated SEQ ID NOs: 39 and 40.

The sequence of Figure 1.b has been designated as SEQ ID NO: 42.

The sequences shown in Figure 11.a' have been designated SEQ ID NOs: 43 and 44.

The sequences shown in Figure 11.b' have been designated SEQ ID NOs: 45 and 46.

The sequences shown in Figure 11.c' have been designated SEQ ID NOs: 47 and 37.

The complimentary strand of the synthetic linker cassette shown in Figure 21 has been designated SEQ ID NO: 49.

The section of the specification entitled "Brief Description of the Drawings" has been amended to include these new sequence identifiers.

Additionally, while the sequences shown in Figures 22 and 23 have already been given SEQ ID NOs (SEQ ID NOS: 19-30), the applicants have amended the paragraphs describing Figures 22 and 23 in order to better clarify the correspondence between the sequence identifier and the particular sequence shown in the figures.

The paragraph spanning page 56, line to page 57, line 14 has been amended to insert SEQ ID NO: 48 for the sequence given at line 13.

A substitute Sequence Listing (CRF format and paper copy) has been provided. It includes the sequences taken from the Figures (SEQ ID NOs: 39-49). Also enclosed is a Declaration In Support of Filing and Submission Under § 1.821 to § 1.825.

No new matter is added by any of these amendments, either to the Specification or to the sequence listing. Support for the amendments is found at least in the Figures as filed (see,

Figures 1.a, 1.b, 11.a', 11.b', 11.c', 21, 22, and 23) and the Specification at page 40, lines 11-14, page 17.

Response to Examiner's Comments

In the Communication, the Examiner has stated that "Figures 11.A-11.C consist of both 11A-11C and 11.A'-11.C' (the meaning of which is unclear)." As is rendered more clear by the amendments to the Brief Description of the Several Views of the Drawings, Figures 11.a'-11.c', are subsets of the sequences shown in Figures 11.a-11.c. Figures 11.a'-11.c' show possible variations of the sequences shown in 11.a -11.c. Particularly in view of the amendment to the Brief Description of the Several Views of the Drawings, the meaning of the two figures is confusion or unclear, and all sequences shown therein are fully compliant with 37 C.F.R. 1.821 *et seq.*

The Examiner has stated that Figure 22 consists of eight sequences. This is not correct. Figure 22 shows only seven sequences, all of which were/are represented in the Sequence Listing (SEQ ID NOs: 19-25). In Figure 22, there is only one sequence under the heading "1  $\beta$  domain:", as indicated by the ellipses present at the end of the first line and the beginning of the second line of the sequence.

In view of the forgoing, it is respectfully submitted that the present application is fully compliant with 37 C.F.R. § 1.821 *et seq.*, for all sequences shown in the Figures and in specification itself have been given a sequence identification number. See, M.P.E.P. 2422.02 (stating that to be compliant, the sequence identifiers shown in a Figure may be present solely in the "Brief Description of the Drawings" section of the specification; it is not necessary to place the identifiers in the Figure itself.)

**CONCLUSION**

For at least the reasons given above, it is respectfully submitted that the application is fully compliant with 37 C.F.R. § 1.821 *et seq.*, and examination and allowance of the pending claims at the earliest opportunity is respectfully requested.

Respectfully submitted,

**JÜRGEN ECK, et al.**

2 september 2003  
(Date)

By:

Kristyne A. Bullock  
**KRISTYNE A. BULLOCK**

Registration No. 42,371

**AKIN GUMP STRAUSS HAUER & FELD LLP**

One Commerce Square

2005 Market Street, Suite 2200

Philadelphia, PA 19103-7013

Telephone: 215-965-1200

**Direct Dial: 215-965-1348**

Facsimile: 215-965-1210

E-Mail: [kbullock@akingump.com](mailto:kbullock@akingump.com)

KAB:cmb  
7017704

Attachments    Substitute Computer Readable Form Of Sequence Listing  
                    Substitute Paper Copy Of Sequence Listing  
                    Statement to Support Filing and Submission Sequence Listing  
                    Copy of Notice to Comply